

April 4, 1968

MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Hale Champion, Development Administrator
SUBJECT: BOARD OF APPEAL REFERRALS

Re: Petition No. Z-1094
Paris Paper Box Company
3293-3295 Washington Street, Jamaica Plain

Petitioner seeks a change in a non-conforming use and five variances to change occupancy from Manufacturing and assembly of marine hardware and allied products to manufacturing, assembly and storage of paper products and to erect a one-story addition in General Residence (R-.8) and Local Business (L-.5) districts. The proposal would violate the code as follows:

| | | <u>Req'd.</u> | <u>Proposed</u> |
|------------|---|---------------|-----------------|
| Sect. 9-2 | A change of a non-conforming use requires Board of Appeal hearing | | |
| Sect. 15-1 | Floor area ratio is excessive | .5 | .7 |
| Sect. 18-1 | Front yard is insufficient | 25 ft. | 0 |
| Sect. 19-1 | Side yard is insufficient | 10 ft. | 0 |
| Sect. 20-1 | Rear yard is insufficient | 40 ft. | 0 |
| Sect. 23-5 | Off-street parking not provided | 40 spaces | 0 |

The property, located at the corner of Washington and Ophin Streets, is a short distance from the Green Street MBTA terminal. The existing structure is occupied by the petitioner and, in effect, this petition would merely legalize an existing condition. The property falls within the Model Cities Area and the staff reports unfavorably in view of the fact that this parcel might be designated as a residential reuse parcel under the pending Model Cities Urban Renewal Plan and the proposed expansion would not be desirable. Denial is recommended.

VOTED: That in connection with Petition No. Z-1094, brought by Paris Paper Box Company, 3293-3295 Washington Street, Jamaica Plain, for a change in a non-conforming use and variance of excessive Floor Area Ratio, insufficient front and side and rear yards and off-street parking not provided to change occupancy from manufacturing and assembly of marine hardware and allied products to manufacturing, assembly and storage of paper products and to erect a one-story addition in General Residence (R-.8) and Local Business (L-.5) districts, the Boston Redevelopment Authority is opposed. This property falls within the Model Cities Area and the pending Urban Renewal Plan will designate this parcel for residential reuse. The change in occupancy has already occurred and, in effect, the petitioner is seeking to legalize an existing condition.

Re: Petition No. Z-1095
 Nick Maggio
 25 Orleans Street, East Boston

Petitioner seeks a Conditional Use Permit to change occupancy from a retail store to a repair shop garage in a Local Business (L-1) district. The proposal would violate the code as follows:

Sect. 8-7 A repair shop garage is a Conditional Use in an L-1 district.

The property is located at the corner of Orleans and Webster Streets. The petitioner proposes to utilize the premises as a repair garage for 10 cars. The one-story concrete block structure is presently utilized as a warehouse for light contracting equipment, notwithstanding the petitioner's statement that it is occupied as a retail store. The neighborhood is primarily residential and the proposal with its accompanying activity would have an adverse affect on the residential character of the area. Denial is recommended.

VOTED: That in connection with Petition No. Z-1095, brought by Nick Maggio, 25 Orleans Street, East Boston, for a Conditional Use Permit to change occupancy from a retail store to a 10-car repair shop garage in a Local Business (L-1) district, the Boston Redevelopment Authority is opposed to the granting of the petition. The proposed retail garage with its accompanying activity would have an adverse affect on the residential character of the surrounding neighborhood.

Re: Petition No. Z-1097
 James K. Shaheen
 175 Spring Street, West Roxbury

Petitioner seeks a Conditional Use Permit, a Forbidden Use Permit, and two variances to erect a one-story addition in Single Family (S-.5) and Local Business (L-.5) districts. The proposal would violate the code as follows:

| | | <u>Req'd.</u> | <u>Proposed</u> |
|------------|---|---------------|-----------------|
| Sect. 8-6 | A change in a pre-existing conditional use requires a Board of Appeal hearing | | |
| Sect. 8-7 | A warehouse is a Forbidden Use in S-.5 & L-.5 districts | | |
| Sect. 14-2 | Lot area for additional unit is insufficient | 4000 sq.ft. | 0 |
| Sect. 20-1 | Rear yard insufficient | 50 ft. | 15 ft. |

The property, located at the corner of Spring and Baker Streets, contains a metal machine shop and a one-story masonry structure which the petitioner proposes to expand and utilize for offices and storage of automotive supply parts. The

proposed expansion is to the rear of the existing structure and will adversely affect the adjacent residential properties. Denial is recommended.

VOTED: That in connection with Petition No. Z-1097, brought by James K. Shaheen, 175 Spring Street, West Roxbury, for a Conditional Use Permit, a Forbidden Use Permit, and variances of insufficient lot area for additional unit and rear yard to erect a one-story addition in Single Family (S-.5) and Local Business (L-.5) districts, the Boston Redevelopment Authority is opposed to the granting of the petition. The proposal is incompatible with and would adversely affect the residential nature of the surrounding properties.

Re: Petition No. Z-1100
Beaulieu-Munroe Corporation
82 Crescent Avenue, Dorchester

Petitioner seeks a change of a non-conforming use to change occupancy from heating contractors' equipment sales and service to light building contractors' equipment sales, service and storage in an Apartment (H-1) district. The proposal would violate the code as follows:

Section 9-2 A change of a non-conforming use to another use not conforming to the zoning code requires a Board of Appeal hearing.

The property, a one-story concrete block structure (60' x 20') is located at the corner of Crescent Avenue and Sydney Street. The petitioner proposes to utilize the site for interior and exterior storage of contractors' equipment. This proposal would be incompatible to the surrounding residential properties. Denial is recommended.

VOTED: That in connection with Petition No. Z-1100, brought by Beaulieu-Munroe Corporation, 82 Crescent Avenue, Dorchester, for a change of a non-conforming use to change occupancy from heating contractors' equipment sales and service to light building contractors' equipment sales, service and storage in an Apartment (H-1) district, the Boston Redevelopment Authority is opposed to the granting of the petition. Storage of building contractors' equipment would be detrimental to the surrounding residential properties.

Re: Petition No. Z-1101
 George H. Fabrizio
 21 Mansfield Street, Allston

Petitioner seeks a Forbidden Use Permit and six variances to change occupancy from two families to four families in a Residential (R-.5) district. The proposal would violate the code as follows:

| | | <u>Req'd.</u> | <u>Proposed</u> |
|------------|--|---------------|-----------------|
| Sect. 8-7 | A multi-family dwelling is forbidden in an R-.5 zone | | |
| Sect. 14-1 | Minimum lot size insufficient | 2 acres | 6050 sq.ft. |
| Sect. 14-3 | Lot width is insufficient | 200 ft. | 55 ft. |
| Sect. 14-4 | Street frontage insufficient | 200 ft. | 55 ft. |
| Sect. 15-1 | Floor area ratio excessive | .5 | .61 |
| Sect. 17-1 | Usable open space insufficient | 1000 sq.ft. | 250 sq.ft. |
| Sect. 18-1 | Front yard is insufficient | 25 ft. | 20 ft. |
| Sect. 20-1 | Rear yard is insufficient | 40 ft. | 30 ft. |

The property, a $2\frac{1}{2}$ story frame structure, is located between Cambridge Street and Coolidge Road. The petitioner proposes to utilize the basement to increase the occupancy. The proposed conversion is an undesirable overuse of the lot and the existing structure for which there is no justification. Denial is recommended.

VOTED: That in connection with Petition No. Z-1101, brought by George H. Fabrizio, 21 Mansfield St., Allston, for a Forbidden Use Permit and variances of insufficient lot size, lot width, street frontage, open space, front yard, rear yard and excessive floor area ratio to change occupancy from two to four families in a Resi- (R-.5) district, the Boston Redevelopment Authority is opposed to the granting of the petition. The proposed conversion is an undesirable overuse of the lot and the structure for which there is no justification.

Re: Petition No. Z-1096
 Boston Housing Authority
 75 Morton Street, Jamaica Plain

Petitioner seeks seven variances to erect a 250-unit apartment structure for the Elderly in a General Residence (R-.8) district. The proposal would violate the code as follows:

| | | <u>Req'd.</u> | <u>Proposed</u> |
|------------|---|----------------|-----------------|
| Sect. 10-1 | Parking not allowed within required front yard nor within 5 feet of side lot line | | |
| Sect. 15-2 | Lot area for additional dwelling units insufficient | 1500 sq.ft./du | 491 sq.ft. |
| Sect. 15-1 | Floor area ratio excessive | .8 | 1.36 |

| | | <u>Req'd.</u> | <u>Proposed</u> |
|------------|--------------------------------------|---------------|-----------------|
| Sect. 16-1 | Maximum height of building excessive | 3 stories | 15 stories |
| Sect. 17-1 | Usable open space insufficient | 35 ft. | 135 ft. |
| Sect. 20-1 | Rear yard insufficient | 800 sq.ft. | 300 sq.ft. |
| Sect. 23-1 | Off-street parking insufficient | 40 ft. | 18 ft. |
| | | 50 spaces | 49 spaces |

The site, adjacent to the Washingtonian Hospital and the rear of the West Roxbury Courthouse, is a short distance from the Forest Hills MBTA Terminal. The petitioner proposes to erect one connected building consisting of a 15-story tower, a 10-story tower, and connecting units and accessory spaces of two and three stories. The Design staff has indicated that the proposed multi-level building plan will represent a good use of the unusual topography of this site and that the Floor Area violations will not be incompatible with the area. Transportation Department has been assured by the petitioner that one parking facility will be provided. Approval is recommended.
additional

VOTED: That in connection with Petition No. Z-1096, brought by the Boston Housing Authority, 75 Morton Street, Jamaica Plain, for variances of insufficient lot area for additional dwelling unit, usable open space, rear yard, off-street parking, excessive Floor Area Ratio, building height, and parking within required front yard and within five feet of side lot line to erect a 250-unit apartment house for the Elderly in a General Residence (R-.8) district, the Boston Redevelopment Authority has no objection to the granting of the petition. The multi-level proposal would provide beneficial low rent housing for the Elderly in this area. The development plan is compatible with the area and represents a good use of the unusual topography of this site.

Re: Petition No. Z-1098
Richard Vazza
116 River Street, Dorchester

Petitioner seeks a Forbidden Use Permit and ten variances to erect a four-story and basement - 34 unit apartment structure in a Residential (R-.5) district. The proposal would violate the code as follows:

| | | <u>Req'd.</u> | <u>Proposed</u> |
|------------|--|-----------------|-----------------|
| Sect. 8-7 | A multi-family dwelling is a Forbidden Use in an R-.5 zone | | |
| Sect. 10-1 | Parking not allowed in front yard nor within 5 feet of side lot line | | |
| Sect. 14-1 | Lot area insufficient | 2 acres | 25,200 sq.ft. |
| Sect. 14-2 | Lot area for additional dwelling units insufficient | 3000 sq.ft. /du | 0 |
| Sect. 14-3 | Lot width insufficient | 200 ft. | 135 ft. |
| Sect. 14-4 | Street frontage insufficient | 200 ft. | 135 ft. |

| | | <u>Req'd.</u> | <u>Proposed</u> |
|------------|--------------------------------|---------------|-----------------|
| Sect. 15-1 | Floor Area Ratio excessive | 0.5 | 1.25 |
| Sect. 16-1 | Height of building excessive | 2 stories | 4 stories |
| | | 35 ft. | 35 ft. |
| Sect. 17-1 | Usable open space insufficient | 1000 sq.ft. | 250 sq.ft. |
| Sect. 18-1 | Front yard insufficient | 25 ft. | 21.9 ft. |
| Sect. 20-1 | Rear yard insufficient | 40 ft. | 29.5 ft. |

The property is situated a short distance from the Dorchester Lower Mills area. The petitioner proposes to demolish an existing two-story duplex dwelling. The proposed density is approximately triple the restriction for this two family residential district and would be incompatible with the area. Denial is recommended.

VOTED: That in connection with Petition No. Z-1098, brought by Richard Vazza, 116 River Street, Dorchester, for a Forbidden Use Permit and variances of parking within front yard and within five feet of side lot line, insufficient lot area, lot area for additional dwelling unit, lot width, street frontage, open space, front yard, rear yard, excessive floor area ratio and building height to erect a four-story and basement-34-unit apartment structure in a Residential (R-.5) district, the Boston Redevelopment Authority is opposed to the granting of the petition. The proposal is unreasonable and would be incompatible with the area.

Re: Petition No. Z-1099
Deb Realty Trust
430 River Street, Mattapan

Petitioner seeks a Conditional Use Permit and thirteen variances to erect a four story-32-unit apartment and basement garage structure in a Local Business (L-.5) district. The proposal would violate the code as follows:

| | | <u>Req'd.</u> | <u>Proposed</u> |
|------------|---|----------------|-----------------|
| Sect. 8-7 | A parking garage is a Conditional Use in an L-.5 zone | | |
| Sect. 10-1 | Parking not allowed within 5 feet of side lot line | | |
| Sect. 14-1 | Lot area insufficient | 2 acres | 10,699 sq.ft. |
| Sect. 14-2 | Lot area for additional dwelling units insufficient | 3000 sq.ft./du | 0 |
| Sect. 15-1 | Floor area ratio excessive | 0.5 | 2.92 |
| Sect. 14-3 | Lot width is insufficient | 200 ft. | 70.4 ft. |
| Sect. 14-4 | Street frontage is insufficient | 200 ft. | 75 ft. |
| Sect. 16-1 | Height of building is excessive | 2 stories | 4 stories |
| | | 35 ft. | 41 ft. |
| Sect. 18-1 | Front yard insufficient (River St.) | 25 ft. | 15 ft. |

| | | <u>Req'd.</u> | <u>Proposed</u> |
|------------|---|---------------|-----------------|
| Sect. 18-4 | Front yard is insufficient (Riverside Place) | 25 ft. | 4 ft. |
| Sect. 19-1 | Side yard is insufficient | 10 ft. | 7.5 ft. |
| Sect. 20-1 | Rear yard is insufficient | 40 ft. | 18 ft. |
| Sect. 23-1 | Off-street parking is insufficient | 32 | 27 |

The property is located a short distance from Mattapan Square. The petitioner proposes to demolish a two-family dwelling and garage. The proposed Floor Area Ratio is more than five times the code requirement. Overcrowding of the lot is reflected by the numerous violations. Transportation staff reports that the vehicular access and maneuverability are inadequate. Denial is recommended.

VOTED: That in connection with Petition No. Z-1099, brought by Deb Realty Trust, 430 River Street, Mattapan, for a Conditional Use Permit and variances of parking not allowed within five feet of side lot line, insufficient lot area, lot area for additional dwelling unit, lot width, street frontage, front yard, side yard, rear yard, off-street parking, excessive Floor Area Ratio and building height to erect a four-story-32-unit apartment and basement garage structure in a Local Business (L-.5) district, the Boston Redevelopment Authority is opposed to the granting of the petition. The Floor Area Ratio of this proposal is more than five times that allowed by the code for this site and overcrowding of the lot is reflected by the numerous violations. Vehicular access and maneuverability are also inadequate.

Re: Petition No. Z-1102
Florence B. Pockwinse
29 Brimmer Street, Boston

Petitioner seeks a variance to change occupancy from one family to eight families in an Apartment (H-2-65) district. The proposal would violate the code as follows:

Sect. 23-1 Off-street parking not provided. Req'd.-6 spaces Proposed - 0
The property, a five-story and basement brick structure, is located at Brimmer and Mt. Vernon Streets. Transportation Department is opposed. Lack of off-street parking facilities is a serious problem in the Beacon Hill area and the proposal would only intensify the already congested traffic and curb parking conditions. Denial is recommended.

VOTED: That in connection with Petition No. Z-1102, brought by Florence B. Pockwinse, 29 Brimmer Street, Boston, for a variance of off-street parking not provided to change occupancy from one family to eight families in an Apartment (H-2-65) district, the Boston Redevelopment Authority is opposed to the granting of the petition. The proposal would only intensify the already congested traffic and curb parking conditions in this area.